

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF TEXAS
TEXARKANA DIVISION**

IN RE: §
§
WILLIAM E. MORGAN and, § **CASE NO. 10-50282**
DARLENE A. MORGAN, §
§ **CHAPTER 11**
DEBTORS. §

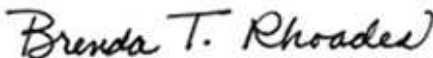
**ORDER GRANTING PROVISIONAL CLOSING OF
CHAPTER 11 CASE FOR AN INDIVIDUAL DEBTOR**

An Application for Final Decree or other motion seeking the final closing of this case has been filed by William E. Morgan and Darlene A. Morgan, the individual Chapter 11 Debtors. However, notwithstanding any “substantial consummation” of the confirmed plan which may have occurred in this case, 11 U.S.C. § 1141(d)(5) now requires that all payments under a confirmed Chapter 11 plan be completed as a prerequisite to the entry of an order of discharge for an individual Chapter 11 debtor. In this district, that discharge process is initiated by the filing of a “Notice of Plan Completion by Individual Debtor in a Chapter 11 Case” [*TXEB Local Form 4004-b*] which thereafter triggers other duties of a Chapter 11 individual debtor to submit required statements under penalty of perjury. Thus, since these actions have not yet occurred in this case, this case has not been “fully administered” under 11 U.S.C. § 350 and the entry of a Final Decree is premature and unjustified under the circumstances.

However, such circumstances do establish just cause to grant a provisional closing of this case, subject to the subsequent filing by the Debtors of two documents: a Motion to Reopen¹ and a separate Notice of Plan Completion, both to be filed upon the completion of all payments required to be made under the confirmed Chapter 11 plan. Accordingly, the Court finds that just cause exists for entry of the following order.

IT IS THEREFORE ORDERED that the above-referenced Chapter 11 case is **PROVISIONALLY CLOSED** subject to its anticipated re-opening upon the completion of all payments required to be made under the confirmed Chapter 11 plan. All other relief sought by the Motion, if any, is **DENIED**.

Signed on 7/2/2012

 **SR**
HONORABLE BRENDA T. RHOADES,
CHIEF UNITED STATES BANKRUPTCY JUDGE

¹ Such motion to reopen may properly contain a request for a waiver of any fee for reopening the case as an “appropriate circumstance” for such waiver in that this case would not have been previously closed due to a dereliction of any duty by the Debtor.

Certificate of Notice Page 2 of 4

United States Bankruptcy Court
Eastern District of TexasIn re:
William E. Morgan
Darlene A. Morgan
DebtorsCase No. 10-50282-btr
Chapter 11

CERTIFICATE OF NOTICE

District/off: 0540-5

User: carterl
Form ID: pdf400Page 1 of 3
Total Noticed: 32

Date Rcvd: Jul 02, 2012

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jul 04, 2012.

db/jdb William E. Morgan, Darlene A. Morgan, 7789 CR 3204, DeKalb, TX 75559-4021
 intp +American Express Bank of America, P.O. Box 15026, Wilmington, DE 19850-5026
 cr +American Home Mortgage Servicing, Inc., PO Box 631730, Irving, TX 75063-0002
 cr CNH Capital, P.O. Box 3900, Lancaster, PA 17604-3900
 cr +First National Bank, 1010 Arkansas Blvd., P.O. Box 368, Texarkana, TX 75504-0368
 5911657 +A T & T Wireless, PO Box 650054, Dallas, TX 75265
 5944505 +American Home Mortgage Servicing, Inc., 1525 S. Beltline Rd, Suite 100-N,
 Coppel, TX 75019-4913
 5911658 +American Home Mortgage Servicing, Inc., P.O. Box 631730, Irving, TX 75063-0002
 5911659 Attorney General of Texas, Bankruptcy Division, PO Box 12548, Austin, TX 78711-2548
 5911662 +Bowie County Equipment, 421 E. Front Street, De Kalb, TX 75559-1424
 5911664 CNH Capital America LLC, P.O. Box 3600, Lancaster, PA 17604-3600
 5911663 +Citi Cards, P.O. Box 182564, Columbus, OH 43218-2564
 5911667 +Farm Bureau Bank, Credit Card Center, P.O. Box 1110, Evansville, IN 47706-1110
 5948972 Farm Bureau Bank, FSB, PO Box 33427, San Antonio, TX 78265-3427
 5911668 +First National Bank, 1010 Arkansas Blvd., P.O. Box 368, Texarkana, AR 71854-2204
 5920415 +First National Bank, P.O. Box 547, Ashdown, AR 71822-0547
 5911670 ++INTERNAL REVENUE SERVICE, CENTRALIZED INSOLVENCY OPERATIONS, PO BOX 7346,
 PHILADELPHIA PA 19101-7346
 (address filed with court: Internal Revenue Service, PO Box 21126, Philadelphia, PA 19114)
 5911669 +Internal Revenue Service, Mail Code DAL-5020, 1100 Commerce Street,
 Dallas, Texas 75242-1100
 5911666 ++TEXAS COMPTROLLER OF PUBLIC ACCOUNTS, REVENUE ACCOUNTING DIV - BANKRUPTCY SECTION,
 PO BOX 13528, AUSTIN TX 78711-3528
 (address filed with court: Comptroller of Public Accts, Rev Acctg Div/Bankruptcy Dept,
 PO BOX 13528, Austin, TX 78711)
 5941127 ++TOYOTA MOTOR CREDIT CORPORATION, PO BOX 8026, CEDAR RAPIDS IA 52408-8026
 (address filed with court: Toyota Motor Credit Corporation, 5005 North River Blvd., N.E.,
 Cedar Rapids, IA 52411-6634)
 5911675 +Toyota Finance Services, P. O. Box 5855, Carol Stream, IL 60197-5855
 5911676 U. S. Attorney, 110 N. College Ave., Suite 700, Tyler, TX 75702-0204
 5911678 +Wells Fargo, P.O. Box 10347, Des Moines, IA 50306-0347
 5920076 +Wells Fargo Bank, N.A., c/o Wells Fargo Card Services, Recovery Department, P.O. Box 9210,
 Des Moines, IA 50306-9210

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

intp E-mail/PDF: pa_dc_claims@salliemae.com Jul 03 2012 04:25:25 Sallie Mae Servicing Corp.,
 P.O. Box 9500, Wilkes Barre, PA 18773-9500
 6009504 E-mail/PDF: rmscedi@recoverycorp.com Jul 03 2012 04:25:05 GE Money Bank,
 c/o Recovery Management Systems Corporat, 25 SE 2nd Ave Suite 1120, Miami FL 33131-1605
 5911671 +E-mail/Text: dallas.bankruptcy@LGBS.com Jul 03 2012 03:10:47
 Linebarger Goggan Blair & sampson, University Center, Ste. 1720, 2323 Bryan Street,
 Dalals, Texas 75201-2644
 5911672 +E-mail/PDF: pa_dc_claims@salliemae.com Jul 03 2012 04:25:25 Sallie Mae, P.O. Box 9500,
 Wilkes-Barre, PA 18773-9500
 6011743 +E-mail/PDF: pa_dc_claims@salliemae.com Jul 03 2012 04:25:25 Sallie Mae, c/o Sallie Mae Inc.,
 220 Lasley Ave., Wilkes-Barre, PA 18706-1496
 5911673 +E-mail/PDF: gecscedi@recoverycorp.com Jul 03 2012 04:04:07 Sam's Club Credit,
 P.O. Box 981064, El Paso, TX 79998-1064
 5911674 E-mail/Text: redpacer@twc.state.tx.us Jul 03 2012 02:30:50 Texas Workforce Commission,
 101 East 15th Street, Austin, TX 78778-0001
 5911677 E-mail/Text: ustpreigion06.ty.ecf@usdoj.gov Jul 03 2012 02:34:11 U. S. Trustee's Office,
 110 N. College Street, Suite 300, Tyler, TX 75702-7231

TOTAL: 8

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cr* +American Home Mortgage Servicing, Inc., 1525 S. Beltline Road, Suite 100 N,
 Coppel, TX 75019-4913
 intp* +Bank of America, P O Box 15026, Wilmington, DE 19850-5026
 cr* +Bowie County Equipment, 421 E. Front Street, De Kalb, TX 75559-1424
 intp* +CNH Capital, P.O. Box 1083, Evansville, IA 47706-1083
 intp* +Citi Cards, P.O. Box 182564, Columbus, OH 43218-2564
 intp* +Farm Bureau Bank, Credit Card Center, P.O. Box 1110, Evansville, IN 47706-1110
 cr* +First National Bank, P.O. Box 547, Ashdown, AR 71822-0547
 intp* +Sam's Club Credit, P.O. Box 981064, El Paso, TX 79998-1064
 intp* +Toyota Finance Services, P.O. Box 5855, Carol Stream, IL 60197-5855
 cr* +Toyota Finance Services, P.O. Box 5855, Carol Stream, IL 60197-5855
 intp* +Wells Fargo, P.O. Box 10347, Des Moines, IA 50306-0347

District/off: 0540-5

User: carterl
Form ID: pdf400

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Total Noticed: 32

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5911661 ###Bank of America, P.O. Box 15026, Wilmington, DE 19850-5026
5911660 ###Bank of America, American Express, P.O. Box 15026, Wilmington, DE 19850-5026
5911665 ###CNH Capital, P.O. Box 1083, Evansville, IA 47706-1083

TOTALS: 0, * 11, ## 3

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Addresses marked '++' were redirected to the recipient's preferred mailing address
pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

Addresses marked '#' were identified by the USPS National Change of Address system as requiring an update.
While the notice was still deliverable, the notice recipient was advised to update its address with the court
immediately.

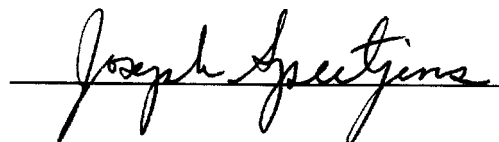
Addresses marked '##' were identified by the USPS National Change of Address system as undeliverable. Notices
will no longer be delivered by the USPS to these addresses; therefore, they have been bypassed. The
debtor's attorney or pro se debtor was advised that the specified notice was undeliverable.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 9): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jul 04, 2012

Signature:

A handwritten signature in black ink, reading "Joseph Speetjens", written over a horizontal line.

District/off: 0540-5

User: carterl
Form ID: pdf400

Page 3 of 3
Total Noticed: 32

Date Rcvd: Jul 02, 2012

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on July 2, 2012 at the address(es) listed below:

Bill F. Payne on behalf of Creditor First National Bank lgarner@moorefirm.com,
TX21@ecfcbis.com;bpayne@ecf.epiqsystems.com
Joe Lozano on behalf of Creditor American Home Mortgage Servicing, Inc. notice@bkcyllaw.com
John M. Vardeman on behalf of U.S. Trustee US Trustee john.m.vardeman@usdoj.gov
Jonathan Gitlin on behalf of Debtor William Morgan jonathan.gitlin@gmail.com
Joyce W. Lindauer on behalf of Debtor William Morgan courts@joycelindauer.com,
joyce@joycelindauer.com
Robert S. McGinnis on behalf of Creditor First National Bank rsmcg51354@aol.com, rsmbk@aol.com
Timothy W. O'Neal on behalf of U.S. Trustee US Trustee USTPRegion06.TY.ECF@USDOJ.GOV
TOTAL: 7